"Express Mail" Label No. EL378653618 Date of Deposit January 18, 2002

Attorney Docket No.: 02307E-080710US

Unassigned

Unassigned

STATEMENT UNDER 37 CFR §1.97 and

INFORMATION DISCLOSURE

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Box Patent Application

Assistant Commissioner of Patents Washington, D.C. 20231

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner:

Art Unit:

§1.98

In re application of:

Emil A. Tanagho Rajvir Dahiya Tom F. Lue Gerald R. Cunha

Application No.:

Filed: January 18, 2002

For: ACELLULAR MATRIX GRAFTS:

PREPARATION AND USE

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 08/994,838, filed December 19, 1997—references A1-A4 were Exhibits 1-4 attached to an Amendment dated 1/24/00 (Attorney Docket No. 02307E-080700US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Emil A. Tanagho et al.
Atty Docket No.: 02307E-080710US

Page 2

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicants believe that <u>no fee is required</u> for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Kenneth A. Weber Reg. No. 31,677

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 Tel: 415-576-0200

Fax: 415-576-0300

KAW:jhd

SF 1298536 v1